

2012 CRW000442

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

DCTN: 7 U12004491

COMPLAINT

Lockup No: _____

Case No: _____

District of Columbia ss:

Defendant's Name: Brandon L. Terry 11174030
(First) (MI) (Last) (PDID) (CCNO)

Also Known As: _____
(First) (Middle) (Last)

Address: RIVERDALE ROAD, RIVERDALE MD

BRANDON L. TERRY, within the District of Columbia, while armed with a firearm, and with the intent to kill another and to inflict serious bodily injury on another and with a conscious disregard of an extreme risk of death or serious bodily injury to another, caused the death of Jhonte-Javier M. Coleman by shooting him with a firearm on or about November 27, 2011, thereby causing injuries from which Jhonte-Javier M. Coleman died on or about November 27, 2011. (Second Degree Murder While Armed, in violation of 22 D.C. Code, Sections 2103, 4502 (2001 ed.))

Co-Defendants:

Det. Lee Littlejohn
Affiant's Name

Subscribed and sworn to before me this 10 day of February, 2012

R. W. [Signature]
(Judge) (Deputy Clerk)

WARRANT

To The United States Marshal or any other authorized federal officer or the Chief of Police of the District of Columbia:

WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for Brandon L. Terry

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge.

Issued Feb. 10, 2012 R. W. [Signature]
Judge - Superior Court of the District of Columbia

Title 16: ☐ Rule 105: ☐ Judge: _____

Sex:	DOB: 06/17/1982	CCN: 11174030	PDID:
Papering Officer: Det. Lee Littlejohn			Badge No.: D21456

OFFICER MUST EXECUTE RETURN

Officer's Name: <u>Det. Lee Littlejohn</u>	Date/Time: February 10, 2012 <u>2/13/12 @ 8:15 AM</u>
AUSA Signature: <u>[Signature]</u>	Fel. I <input checked="" type="checkbox"/> AFTC <input type="checkbox"/> Fel. II <input type="checkbox"/>

T100461819

Superior Court of the District of Columbia
CRIMINAL DIVISION

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

USW NO.:

DEFENDANT'S NAME: Terry, Brandon Lance				NICKNAME: "B" or "Breezy"		ALIASES:		CCN: 11-174-030		PDID:	
SEX: Male	RACE: Black	DOB: 6/17/82	HGT: 5' 7"	WGT: 155	EYES: Brown	HAIR: Black	COMPL: Medium	SCARS, MARKS, TATOOS Scar across his left index finger			
DEFENDANT'S HOME ADDRESS: [REDACTED] Riverdale Road Riverdale, Maryland 20745							TELEPHONE NUMBER: Home (301) [REDACTED] Cell (202) [REDACTED]				
DEFENDANT'S BUSINESS ADDRESS:							TELEPHONE NUMBER:				
COMPLAINANT'S NAME: Coleman, Jhonte-Javier Marion							TELEPHONE NUMBER:				
LOCATION OF OFFENSE: 1337 Connecticut Avenue, N.W.							DATE OF OFFENSE: 11/27/11		TIME OF OFFENSE: 2:34 a.m.		

CAUTION AND MEDICAL CONDITIONS (CMC)

Select a valid CMC code below for wanted person when using the caution indicator.

- | | |
|---|---|
| <input checked="" type="checkbox"/> x_00 = Armed and Dangerous
<input type="checkbox"/> 05 = Violent Tendencies
<input type="checkbox"/> 10 = Martial Arts Expert
<input type="checkbox"/> 15 = Explosive Expertise
<input type="checkbox"/> 20 = Known to abuse drugs
<input type="checkbox"/> 25 = Escape Risk
<input type="checkbox"/> 30 = Sexually Violent Predator
<input type="checkbox"/> 50 = Heart Condition | <input type="checkbox"/> 55 = Alcoholic
<input type="checkbox"/> 60 = Allergies
<input type="checkbox"/> 65 = Epilepsy
<input type="checkbox"/> 70 = Suicidal
<input type="checkbox"/> 80 = Medication Required
<input type="checkbox"/> 85 = Hemophiliac
<input type="checkbox"/> 90 = Diabetic
<input type="checkbox"/> 01 = Other |
|---|---|

GIVE BRIEF DESCRIPTION OF WHAT HAPPENED:

On Sunday, November 27, 2011, at approximately 2:34 a.m., members of the Second District were summoned to 1337 Connecticut Avenue, Northwest, for the report of sound of gunshots. Upon their arrival, they located the decedent on the west side of the street in the 1300 block of Connecticut Avenue, Northwest, specifically in front of 1350 Connecticut Avenue, Northwest, suffering from multiple gunshot wounds. Two other victims were also located suffering from gunshot wounds. Subsequently, two stabbing victims were found in the immediate area and a third stabbing victim drove itself to the George Washington University Hospital. The decedent was suffering from apparent gunshot wounds to the body and was unconscious and unresponsive. The DC Fire Department EMS was summoned to the scene and transported the decedent to the George Washington University Hospital. The other victims were also transported to area hospitals for treatment. A short time later, the decedent succumbed to his injuries and was pronounced dead at 4:20 a.m., by Dr. Abel of the hospital staff. The decedent was transported to the District of Columbia Office of the Chief Medical Examiner pending an autopsy. The two other gunshot victims and three other stabbing victims survived.

During the course of the investigation two additional victims were later located at hospitals in the metropolitan area suffering from injuries consistent with blunt force trauma. It was discovered that these two victims had also attended the event at the Heritage India Brassiere and Lounge and were jumped outside.

On Monday, November 28, 2011, Dr. Carolyn Revercomb performed an autopsy on the decedent's remains. The cause of death was a gunshot wound and the manner of death was ruled a homicide.

An investigation into the offense was undertaken by members of the Criminal Investigations Division, Homicide Branch of the Metropolitan Police Department. During the course of the investigation it was discovered that the Heritage India Brassiere and Lounge (restaurant/bar/club) located at 1337 Connecticut Avenue, Northwest, and Promoters Mel Productions held an event called "Black Out," an after-Thanksgiving Day Celebration that began on the evening of November 26, 2011 and continued into the early morning hours of November 27, 2011. During the event there were two altercations that occurred near the photo booth, which were immediately handled by

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security and those individuals were escorted outside. The last altercation prompted management and security to shut the event down early which sent the patrons spilling onto the streets. After the establishment was emptied, further fighting occurred outside the club, which led to a brawl.

While processing the scene, Witness One hereafter referred to as W-1, was located and interviewed. W-1 stated it was in the 1300 block of Connecticut Avenue, Northwest, when it noticed there was something going on like a fight. W-1 stopped at the median and sat down on the rail deciding whether to go that way. That's when W-1 observed the shooter standing on the concrete pad located in the median near the tree box area. The shooter was facing the Heritage but aiming towards the tunnel. W-1 observed the shooter raise his arm with a weapon in his hand and fire. W-1 described the weapon as being black in color. W-1 stated the shooter fired three times. W-1 ran into a crowd of people and discovered a victim who had been shot. W-1 telephoned 911. W-1 described the shooter as a black male, 25-30 years of age, 5'9" to 5'11" in height, medium complexion, thin frame, wearing jeans and what appeared to be a light colored gray shirt that was baggy off his shoulder and may have been a hoody. W-1 also describes the shooter as having a clean shaven face and clean cut hair. W-1 stated it did not observe anyone else with a gun.

Patrol units in the field stopped an individual fitting the shooter's description. A show-up was conducted, which yielded negative results. W-1 stated the individual stopped had on the same type of clothing and stature, but it was not the shooter.

The primary crime scene was processed by the Metropolitan Police Department Detectives and Crime Scene Technicians. Four (4) .40 caliber cartridge casings were located and recovered from the crime scene. These shell casings were located in the physical area consistent with where W-1 had observed the shooter (near the treebox in the median). The Metropolitan Police Department Firearms Examination Branch has confirmed that the four (4) .40 caliber cartridge casings were identified as having been fired from the same firearm.

In the area near the cartridge casings, a Maryland Driver's license was recovered. Members of the Metropolitan Police Department located and interviewed the individual, Witness Two, hereafter referred to as W-2. At the beginning of the interview, W-2 stated that it had lost its identification card and assumed that the police had found it. W-2 stated that it had attended the event at the Heritage India that evening, where it consumed some alcohol. W-2 stated that a fight broke out during the event, but it was not sure where or how the altercation started, but the lights came on and everyone was required to leave the club. Once outside, W-2 observed a physical altercation in the street, and it went in the opposite direction with its friends close by. W-2 stated that it was not involved in any part of any fight, nor were its friends. W-2 heard gunshots, but was not sure of its exact location when it heard the gunshots. Two friends that were with W-2 were located and interviewed, and according to their recollection, the group was located near the median when the shooting occurred. After the shots, W-2 and its friends ran. W-2 did not see the shooter, but just heard shots that were close by. W-2 said that when it ran it must have dropped its identification card. The clothing worn by W-2 on the night of the murder is not consistent with the lookout description of the shooter.

Witness Three, hereafter referred to as W-3, was located and interviewed. W-3 stated it attended the event at the Heritage with Jhonte Coleman (the decedent) and a friend to celebrate another friend's birthday. While attending the event, it observed that an altercation occurred in the area near the picture booth. Security personnel were observed escorting a couple of males out the front door. Shortly afterwards, an announcement was made indicating the event was shutting down, and that everyone should make their way to the front door. Upon leaving, W-3, the decedent, and another individual proceeded across the street towards the median. W-3 heard a commotion back towards the Heritage India. As W-3 turned, it noticed a guy being pulled to the ground and being assaulted by several subjects. A brawl broke out afterwards. There were people standing on the concrete slab located in the median. A single guy, on the median near the tree turned towards W-3 and stated, "You with them." W-3 replies, "Nah man I don't have anything to do with that." W-3 then observed the subject reach into his waistband and pull out a gun. W-3 began to run and jumped across the guardrail when it heard at least three to four gun shots. Having been shot, W-3 collapsed to the ground. W-3 noticed the decedent on the ground on the other side of the guard rail on Connecticut Avenue crawling and it looked like he got hit in the stomach because he was in the fetal position. W-3 described the shooter as a black male, under 27 years of age, 180-185 pounds,

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short approximately 5'9", wearing a black skull knit but it was not all the way on his head, short hair like a regular shape up, a black windbreaker that resembled a North Face and it believes his shirt was red and jeans. According to W-3, the gun was definitely an automatic and black in color. According to W-3, at the time that the shooter fired the shots, no one was fighting or physically engaging the shooter in any way. Moreover, neither W-3 nor Jhonte Coleman had spoken, acknowledged, or physically engaged the shooter (or anyone else) in any way.

In a follow-up interview, W-3 was asked about two seeming contradictions in its accounts about this incident. First, a police report of the initial interview with W-3 related that W-3 had stated that the shooter was accompanied by a black male subject, medium complexion with a corn-rolled hairstyle, wearing a gray/navy blue striped hoody, who was also armed with a handgun. When asked about this report, W-3 stated that it was incorrect. The description of the second subject was the individual that was being jumped during the brawl, and W-3 never saw this individual with a weapon. W-3 further stated that there were two individuals standing near the shooter and neither one of them were armed. Second, a media report of an interview with W-3 related that W-3 had referred to the shooter being tall. W-3 clarified this by saying that it had been referring to the fact that the shooter was standing on the concrete pad of the median, which is elevated from the ground level in which W-3 had to look up when the shooter made the statement, "You with them." W-3 who is significantly tall in stature states by no means is the suspect taller than it. W-3 referred to the suspect as being short approximately 5'6" to 5'9" in height.

During the course of the investigation your affiant has learned that on November 27, 2011, at approximately 3:40 a.m., the defendant Brandon Terry, who was accompanied by a family member, arrived at Doctor's Community Hospital located at 8118 Good Luck Road, Lanham-Seabrook, Maryland, with a severe laceration to his left index finger. Brandon Terry told the hospital staff that he accidentally sustained this injury while cutting the leg of a chicken.

It was discovered that Brandon Terry provided the telephone number (202) [REDACTED] to Doctor's Community Hospital as his home number. Subsequently, detail call records consisting of outgoing and incoming calls were obtained for the telephone number (202) [REDACTED] associated with Brandon Terry. It was discovered that the subscriber to this telephone number is listed to his baby's mother, to include the telephone of (202) [REDACTED]. The call records indicate communication with his baby's mother and W-4 (discussed below) shortly after the shooting.

In an attempt to identify potential witnesses or suspects yet unknown your affiant obtained still photographs that had been taken at the "Black Out" event. Your affiant also obtained a single confirmation photograph of Brandon Terry, DOB: 6/17/82 for identification purposes. Upon viewing Brandon Terry's photograph, he is depicted in more than one of the still photographs obtained from the event on the night in question. Brandon Terry is pictured as a black male subject with a low haircut, a left lazy eye, wearing a black shirt with "DKNY JEANS" down the sleeves and blue jeans.

Witness Four hereafter referred to as W-4, was located and interviewed. W-4 stated that on the night of this incident it received a telephone call from the defendant Brandon Lance Terry between the hours of 2:30 a.m. and 3:00 a.m. The defendant stated he needed to go to the hospital for an injury. Upon picking up the defendant, the defendant stated that he and a friend of his had been jumped at a club that night. W-4 noticed that alcohol was emanating from the defendant, his face was swollen, and his hand was wrapped up. After arriving at Doctor's Community Hospital the defendant admitted he stabbed three people and shot somebody. The defendant told W-4, if anybody asks what happened to my hand tell them I cut it cutting chicken; this is the same story he told the hospital staff. During W-4's initial interview, it indicated that it was not totally forthcoming with significant information it obtained the night of this incident. W-4 was shown a single confirmation photograph and positively identified the individual depicted in the photograph as Brandon Terry. W-4 stated this is the same individual who admitted he stabbed three individuals and shot somebody at the club that night. According to W-4, Brandon Terry also stated that he covered his face with his hand while he was firing the shot so that his face could not be seen. Additionally, Brandon Terry (from Riverdale, Maryland) stated that a fight broke out in a club between his group and another group from another area of Riverdale, Maryland.

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Witness Five, hereafter referred to as W-5, was located and interviewed. W-5 was not present at the Heritage India, but observed news coverage of the incident in the days that followed. On the Thursday following the incident, the defendant, who W-5 knows by name (Brandon Terry), asked W-5 if it had seen the news coverage about the shooting and stabbing that occurred at the club. W-5 acknowledged that it had seen the news coverage, to which the defendant responded: "That was us." The defendant also told W-5 that it had been stabbed in the hand, and he stabbed the people back.

A non-custodial interview was conducted with Mr. Brandon Lance Terry on Tuesday, January 24, 2012, at the Criminal Investigations Division Homicide Branch. Mr. Terry was advised that he was not under arrest and was free to leave at any time and was asked questions regarding the shooting incident that took place outside the Heritage India in the early morning hours of November 27, 2011. Mr. Terry denied involvement in any shooting or stabbing but did state that after the event was shut down, while waiting for the valet parking attendant to retrieve a friend's vehicle, he observed his friend being jumped and eventually thrown to the ground by multiple subjects; Mr. Terry and another friend attempted to assist their friend before becoming victims themselves. Mr. Terry stated he walked away to gain his composure when he heard three to four gunshots. Afterwards, Mr. Terry was driven to his baby's mother residence. According to Mr. Terry, the only injuries he sustained at the club were a swollen head/face and a busted lip. Nevertheless, Mr. Terry maintained that he cut his finger severely while cutting chicken at his baby's mother residence after he got home but prior to 3:40 a.m. when he arrived at the hospital. Mr. Terry stated he telephoned a relative that took him to Doctor's Community Hospital. Mr. Terry denied that he sustained the injury to his finger from stabbing anyone at the Heritage. However, based on your affiant's experience, assailants armed with sharp objects often cut their hand when the object is used to stab someone, as the sharp object often becomes slippery with blood, causing it to slide down the assailant's hand.

Based on the aforementioned facts and circumstances, your affiant believes that probable cause exists and respectfully requests that an arrest warrant be issued for Brandon Lance Terry for this offense.

AFFIANT'S SIGNATURE:

x Det. [Signature]

TO: WARRANT CLERK

PLEASE ISSUE A WARRANT FOR:

BRANDON LANCE TERRY

Charge With: SECOND DEGREE MURDER W-5 NAME

[Signature]
ASSISTANT UNITED STATES ATTORNEY

2/10/12

1530

SUBSCRIBED AND SWORN BEFORE ME THIS

10th DAY OF Feb 20 12

[Signature]
(JUDGE) DEPUTY CLERK) SUPERIOR COURT OF THE
DISTRICT OF COLUMBIA

Revision Date: 11-29-06